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INFORMATION DISCLOSURE CITATION IN AN APPLICATION		Applicant Gary K. Michelson		Application Number (Cont. of 09/626,636)			
		Filing Date September 18, 2003		Group Art Unit (3731)		Examiner (U. Ho)	
U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
DP		Des. 245,259	08/1977	Shen			
		Des. 257,511	11/1980	Zahn			
		Des. 260,525	09/1981	Lassiter			
		Des. 281,814	12/1985	Pratt et al.			
		Des. 318,629	07/1991	Michelson			
Lit. 1		Re. 31,865	04/1985	Roux			
		350,420	10/1886	Dillon			
		493,730	03/1893	MacKenzie			
		640,108	12/1899	Dalzell			
		1,137,585	04/1915	Craig			
		2,065,659	12/1936	Cullen			
		2,181,746	11/1939	Siebrandt			
		2,243,718	05/1941	De G. Moreira			
		2,372,622	03/1945	Fassio			
		2,514,665	07/1950	Myller			
		2,537,070	01/1951	Longfellow			
		2,543,780	03/1951	Hipps et al.			
		2,677,369	05/1954	Knowles			
		2,774,350	12/1956	Cleveland			
		2,789,558	04/1957	Rush			
		2,832,343	04/1958	Mose			
		2,842,131	07/1958	Smith			
DP		2,878,809	03/1959	Treace			

Lit. 2		3,128,768	04/1964	Geistauts			
Lit. 1		3,298,372	01/1967	Feinberg			
		3,426,364	02/1969	Lumb			
Lit. 2		3,486,505	12/1969	Morrison			
Lit. 1		3,604,487	09/1971	Gilbert			
		3,605,123	09/1971	Hahn			
		3,618,611	11/1971	Urban			
		3,709,219	01/1973	Halloran			
Lit. 3b		3,719,186	03/1973	Merig, Jr.			
		3,720,959	03/1973	Hahn			
		3,750,652	08/1973	Sherwin			
Lit. 2		3,848,601	11/1974	Ma et al.			
		3,855,638	12/1974	Pilliar			
		3,867,728	02/1975	Stubstad et al.			
		3,867,950	02/1975	Fischell			
Lit. 2		3,875,595	04/1975	Froning			
		3,877,020	10/1989	Vichi			
		3,888,260	06/1975	Fischell			
Lit. 2		3,892,232	07/1975	Neufeld			
Lit. 1		3,905,047	09/1975	Long			
		3,915,151	10/1975	Kraus			
		3,916,907	11/1975	Peterson			
		3,918,440	11/1975	Kraus			
		3,942,535	03/1976	Schulman			
		3,948,262	04/1976	Zaffaroni			
		3,952,334	04/1976	Bokros et al.			
		3,987,499	10/1976	Scharbach et al.			
Lit. 1		4,016,651	04/1977	Kawahara et al.			
		4,027,392	06/1977	Sawyer et al.			
		4,051,905	10/1977	Kleine			
		4,059,115	11/1977	Jumashev et al.			
		4,070,514	01/1978	Entherly et al.			

	4,082,097	04/1978	Mann et al.			
Lit. 1	4,086,701	05/1978	Kawahara et al.			
Lit. 1	4,124,026	11/1978	Berner et al.			
	4,142,517	03/1979	Stravropoulos et al.			
	4,168,326	09/1979	Broemer et al.			
Lit. 1	4,175,555	11/1979	Herbert			
Lit. 1	4,177,524	12/1979	Grell et al.			
	4,181,457	01/1980	Holmes			
	4,197,850	04/1980	Schulman et al.			
	4,206,516	06/1980	Pilliar			
	4,222,128	09/1980	Tomonaga et al.			
	4,232,679	11/1980	Schulman			
	4,232,679 B1	05/1988	Schulman			
	4,237,948	12/1980	Jones et al.			
	4,258,716	03/1981	Sutherland			
Lit. 1	4,259,072	03/1981	Hirabayashi et al.			
Lit. 1	4,262,369	04/1981	Roux			
	4,271,832	06/1981	Evans et al.			
	4,289,123	09/1981	Dunn			
Lit. 1	4,293,962	10/1981	Fuson			
	4,309,777	01/1982	Patil			
Lit. 1	4,328,593	05/1982	Sutter et al.			
	4,333,469	06/1982	Jeffcoat et al.			
	4,341,206	07/1982	Perrett			
Lit. 1 & 3c	4,349,921	09/1982	Kuntz			
Lit. 1	4,356,572	11/1982	Guillemin et al.			
	4,401,112	08/1983	Rezaian			
	4,405,319	09/1983	Cosentino			
	4,414,979	11/1983	Hirshorn et al.			
	4,423,721	01/1984	Otte et al.			
	4,439,152	03/1984	Small			
	4,450,834	05/1984	Fischer			

Lit. 1		4,484,570	11/1984	Sutter et al.			
		4,492,226	01/1985	Belykh et al.			
		4,497,320	02/1985	Nicholson et al.			
Lit. 1 & 2		4,501,269	02/1985	Bagby			
		4,507,115	03/1985	Kambara et al.			
		4,530,360	07/1985	Duarte			
		4,535,374	08/1985	Anderson et al.			
		4,535,485	08/1985	Ashman et al.			
		4,542,539	09/1985	Rowe, Jr. et al.			
Lit. 2		4,545,374	10/1985	Jacobson			
		4,547,390	10/1985	Ashman et al.			
		4,549,547	10/1985	Brighton et al.			
		4,552,200	11/1985	Sinha et al.			
		4,553,273	11/1985	Wu			
		4,554,914	11/1985	Kapp et al.			
		4,570,623	02/1986	Ellison et al.			
Lit. 2, 3b, & 3c		4,570,624	02/1986	Wu			
		4,592,346	06/1986	Jurgutis			
		4,599,086	07/1986	Doty			
		4,600,000	07/1986	Edwards			
		4,602,638	07/1986	Adams			
		4,604,995	08/1986	Stephens			
		4,608,052	08/1986	Van Kampen et al.			
		4,611,581	09/1986	Steffee			
		4,619,264	10/1986	Singh			
		4,628,921	12/1986	Rousso			
		4,634,720	01/1987	Dorman et al.			
		4,636,217	01/1987	Ogilvie et al.			
		4,636,526	01/1987	Dorman et al.			
		4,645,503	02/1987	Lin et al.			
Lit. 1		4,653,486	03/1987	Coker			
		4,653,509	03/1987	Oloff, et al.			

	4,655,777	04/1987	Dunn			
	4,661,536	04/1987	Dorman et al.			
	4,664,567	05/1987	Edwards			
	4,665,920	05/1987	Campbell			
	4,677,883	07/1987	Lee			
	4,677,972	07/1987	Tornier			
	4,693,721	09/1987	Ducheyne			
	4,696,290	09/1987	Steffee			
	4,698,375	10/1987	Dorman et al.			
	4,710,075	12/1987	Davison			
Lit. 1	4,713,004	12/1987	Linkow et al.			
Lit. 3c	4,714,469	12/1987	Kenna			
	4,721,103	01/1988	Freedland			
	4,736,738	04/1988	Lipovsek et al.			
Lit. 1 & 2	4,743,256	05/1988	Brantigan			
	4,743,260	05/1988	Burton			
	4,759,766	07/1988	Buettner-Janz et al.			
	4,759,769	07/1988	Hedman et al.			
	4,769,881	09/1988	Pedigo et al.			
	4,777,939	10/1988	Kees, Jr. et al.			
	4,781,591	11/1988	Allen			
	4,790,303	12/1988	Steffee			
	4,805,602	02/1989	Puno et al.			
	4,820,305	04/1989	Harms et al.			
	4,830,000	05/1989	Shutt			
Lit. 1 & 2	4,834,757	05/1989	Brantigan			
Lit. 2	4,848,327	07/1989	Perdue			
	4,851,008	07/1989	Johnson			
Lit. 2	4,863,476	09/1989	Shepperd			
	4,863,477	09/1989	Monson			
	4,865,603	09/1989	Noiles			
Lit. 1	4,877,020	10/1989	Vich			

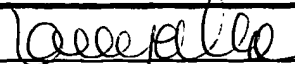
Lit. 1 & 2	4,878,915	11/1989	Brantigan			
	4,903,882	02/1990	Long			
	4,904,260	02/1990	Ray et al.			
	4,904,261	02/1990	Dove et al.			
	4,911,718	03/1990	Lee et al.			
	4,913,143	04/1990	Oloff et al.			
	4,913,144	04/1990	Del Medico			
	4,936,848	06/1990	Babgy			
	4,943,291	07/1990	Tanguy			
	4,955,885	09/1990	Meyers			
	4,955,908	09/1990	Frey et al.			
	4,957,495	09/1990	Kluger			
	4,960,420	10/1990	Goble et al.			
	4,961,740	10/1990	Ray et al.			
	4,968,316	11/1990	Hergenroeder			
	4,969,888	11/1990	Scholten et al.			
	4,987,904	01/1991	Wilson			
	4,997,434	03/1991	Seedhom et al.			
	5,015,247	05/1991	Michelson			
	5,015,255	05/1991	Kuslich			
Lit. 3c	5,026,373	06/1991	Ray et al.			
	5,030,236	07/1991	Dean			
Lit. 3a & 3c	5,055,104	10/1991	Ray			
	5,059,193	10/1991	Kuslich			
	5,062,845	11/1991	Kuslich et al.			
	5,071,437	12/1991	Steffee			
Lit. 1	5,084,050	01/1992	Draenert			
	5,102,414	04/1992	Kirsch			
	5,105,819	04/1992	Wollschläger et al.			
	5,108,422	04/1992	Green et al.			
	5,112,336	05/1992	Krevolin et al.			
	5,116,304	05/1992	Cadwell			

	5,122,130	06/1992	Keller			
	5,123,926	06/1992	Pisharodi			
	5,171,278	12/1992	Pisharodi			
	5,192,327	03/1993	Brantigan			
	5,246,458	09/1993	Graham			
	5,258,031	11/1993	Salib et al.			
	5,263,953	11/1993	Bagby			
	5,279,292	01/1994	Baumann et al.			
	5,292,252	03/1994	Nickerson et al.			
	5,306,309	04/1994	Wagner et al.			
	5,314,427	05/1994	Goble et al.			
	5,324,295	06/1994	Shapiro			
	5,352,229	10/1994	Goble et al.			
	5,364,399	11/1994	Lowery et al.			
	5,370,697	12/1994	Baumgartner			
	5,393,036	02/1995	Sheridan			
	5,396,880	03/1995	Kagan et al.			
	5,397,364	03/1995	Kozak et al.			
	5,425,772	06/1995	Brantigan			
	5,441,527	08/1995	Erickson et al.			
	5,443,514	08/1995	Steffee			
	5,458,638	10/1995	Kuslich et al.			
	5,484,437	01/1996	Michelson			
Lit. 3a & 3c	5,489,307	02/1996	Kuslich et al.			
	5,489,308	02/1996	Kuslich et al.			
	5,105,819	04/1992	Wollschlager, et al.			
	5,505,732	04/1996	Michelson			
FOREIGN PATENT DOCUMENTS						
	Document Number	Date	Country	Class	Sub Class	Translation Yes or No
Lit. 2, 3a, 3b & 3c	0 077 159	04/1983	Europe			N/A
	0 162 005	11/1985	Europe			Yes
	0 260 044	03/1988	Europe			N/A

	0303241 A2	02/1989	Europe			N/A
	0 307 241	03/1989	Europe			N/A
	0421485 A1	10/1998	Europe			N/A
	0499465 A1	08/1992	Europe			N/A
	0551187 A1	07/1993	Europe			N/A
	0577179 A1	01/1994	Europe			N/A
	0627204 A2	12/1994	Europe			Abstract Only
	0 179 695	04/1986	France			Abstract and Partial
	2 295 729	07/1976	France			UK Equivalent GB 1531487
	2 581 336	11/1986	France			Abstract Only
	2 703 580	10/1994	France			Yes
Lit. 1	1961531	07/1970	Germany			UK Equivalent GB 1291470
	24 46 039	04/1975	Germany			UK Equivalent GB 1492990
	DE 3101333 A1	12/1981	Germany			Abstract Only
	DE 3132520 A1	06/1982	Germany			Abstract Only
Lit. 1	DE 3505567 A1	06/1986	Germany			Abstract Only
	DE 36 08 163 A1	09/1987	Germany			Abstract Only
	DE 41 04 359 A1	08/1992	Germany			US Equivalent 5,279,292
	GB 1291470	10/1972	Great Britain			N/A
	GB 1492990	11/1977	Great Britain			N/A
	GB 1531487	11/1978	Great Britain			N/A
	GB 2076657 A	12/1981	Great Britain			N/A
	GB 2082754 A	03/1982	Great Britain			N/A
	GB 2126094 A	03/1984	Great Britain			N/A
	GB 2164277 A	03/1986	Great Britian			N/A
	57-29348	02/1982	Japan			Abstract Only
	60-31706	02/1985	Japan			Yes
	60-43984	03/1985	Japan			Yes
	61-122859	06/1986	Japan			US Equivalent 4,759,766
	62-155846	07/1987	Japan			Yes

	84/01298	04/1984	PCT			N/A
	91/06266	05/1991	PCT			N/A
	92/14423	09/1992	PCT			N/A
	93/01771	02/1993	PCT			N/A
	1063397	12/1983	Soviet Union			Yes
	1107854	08/1984	Soviet Union			Yes
	1124960	11/1984	Soviet Union			Abstract Only
	1217374	03/1986	Soviet Union			Abstract Only
	1222254	04/1986	Soviet Union			Abstract Only
Lit. 1	283078	05/1985	Spain			US Equivalent 4,877,020
	106 101	07/1939	Sweden			Partial
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
	Adams, et al.; Outline of Orthopaedics, Eleventh Edition; Trunk and Spine, p. 194.					
	Herkowitz, et al.; Principles of Bone Fusion; The Spine, Third Edition; Chapter 44, p. 1739.					
	Muschler, et al.; The Biology of Spinal Fusion; Spinal Fusion Science and Technique, Cotler and Cotler, pp. 9-13.					
	Zindrick, et al.; Lumbar Spine Fusion: Different Types and Indications; The Lumbar Spine, Vol. 1, Second Edition, pp. 588-593 (1996).					
	Gillingham, F.J., et al.; Automatic Patient Monitoring in the Ward; Brit. J. Surg., Vol. 53, No. 10, pp. 864-866 (October 1966).					
	Maloney, A.F.J., et al.; Clinical and Pathological Observations in Fatal Head Injuries, Brit. J. Surg., Vol. 56, No. 1, pp. 23-31 (January 1969).					
	Harris, P., et al.; Spinal Deformity After Spinal Cord Injury; Paraplegia, Vol. 6, No. 4, pp. 232-238 (February 1969).					
	Gillingham, F.J., et al.; Head injuries; Proceedings of the 18 th World Congress of the International College of Surgeons, Rome, pp. 68-71 (May 28-31, 1972).					
	Whatmore, W. J.; Sincipital Encephalomeningoceles; Brit. J. Surg., Vol. 60, No. 4, pp. 261-270 (April 1973).					
	Whatmore, W. J.; Meningioma Following Trauma; Brit. J. Surg., Vol. 60, No. 6, pp. 496-498 (June 1973).					
Lit. 1	Bagby, George W.; Wobbler Syndrome in Horses (the Ataxic Horse); Spokane County Medical Society Bulletin; Spring 1979.					
	Rathke, F.W., et al.; Surgery of the Spine; Atlas of Orthopaedic Operations, Vol. 1, p. 137, W.B. Saunders Co., Philadelphia (1979).					
Lit. 1	Albrektsson, T., et al.; Osseointegrated Titanium Implants; Acta. Orthop. Scand.; Vol. 52:155-170 (1981).					
Lit. 1	Raveh, J., et al.; Neue Rekonstruktionsmöglichkeiten des Unterkiefers bei knöchernen Defekten nach Tumoresektionen; Der Chirurg Vol. 53:459-467 (1982).					

	Crock, H. V.; Practice of Spinal Surgery; Springer-Verlag/Wien, New York (1983).
Lit. 1 & 2	DeBowes, R.M., et al.; Study of Bovine...Steel Baskets; Transactions of the 29th Annual Meeting; Orthopaedic Research Society, Vol. 8, p. 407, March 8-10 (1983).
	O'Neill, P., et al.; Spinal Meningoceles in Association with Neurofibromatosis; Neurosurgery, Vol. 13, No. 1, pp. 82-84 (July 1983).
Lit. 2	Brandt, L., et al.; A Dowel Insert for Anterior Cervical Interbody Fusion; J. Neurosurg. 61:793-794 (October 1984).
	Whatmore, W.J., et al.; The Coventry Cervical Spreader and Dowel Insert; ACTA Neurochirurgica, Vol. 70, FASC. 1-2 (1984).
Lit. 1	Raveh, J., et al.; Use of the Titanium-coated Hollow Screw and Reconstruction Plate System in Bridging of Lower Jaw Defects; J. Oral Maxillofac Surg. 42:281-294 (1984).
Lit. 1, 2, 3a, & 3b	Otero-Vich, Jose M.; Anterior Cervical Interbody Fusion with Threaded Cylindrical Bone; J. Neurosurg 63:750-753 (November 1985).
Lit. 1	Morscher, E., et al.; Die vordere Verplattung der Halswirbelsäule mit dem Hohlschrauben-Plattensystem aus Titanium, <i>Der Chirurg</i> , Vol. 57, pp. 702-707 (1986) with English Translation.
Lit. 1 & 2	Bagby, G.W.; Basket Implant Facilitates Spinal Fusion; Orthopedics Today, Vol. 7, No. 10, (October 1987).
Lit. 1 & 3a	Butts, M. K., et al.; Biomechanical Analysis of a New Method for Spinal Interbody Fixation; 1987 Symposium, American Society of Mechanical Engineers, "Advances in Bioengineering", Boston, MA (Dec. 13-18, 1987).
Lit. 1	Crawley et al.; A Modified Cloward's Technique for Arthrodesis of the Normal Metacarpophalangeal Joint in the Horse; Veterinary Surgery, Vol. 17, No. 3, pp. 117-127 (1988).
Lit. 1	Raveh, J., et al.; Surgical Procedures for Reconstruction of the Lower Jaw Using the Titanium-Coated Hollow-Screw Reconstruction Plate System: Bridging of Defects; Otolaryngologic Clinics of North America; Vol. 20, No. 3 (August 1987).
	Whatmore, W. J.; Proceedings of the Society of British Neurological Surgeons; Journal of Neurology, Neurosurgery, and Psychiatry, 50:1093-1100 (1987).
Lit. 2	Goldthwaite, N., et al.; Toward Percutaneous Spine Fusion; Ch. 45; Lumbar Spine Surgery; C.V. Mosby Company, pp. 512-522 (1987).
Lit. 1 & 2	Bagby, G.W.; Arthrodesis by the Distraction-Compression Method Using a Stainless Steel Implant; Orthopedics, Vol. II, No. 6, pp. 931-34 (June 1987).
Lit. 1	Itoman, M., et al.; Banked Bone Grafting for Bone Defect Repair--Clinical Evaluation of Bone Union and Graft Incorporation; J. Jpn. Orthop. Assoc. 62:461-469 (1988).
	Kane, W.J.; Direct Current Electrical Bone Growth Stimulation for Spinal Fusion; Spine, Vol. 13, No. 3, pp. 363-365 (March 1988).
	The SpF-T Spinal Fusion Stimulator: An Efficacious Adjunct that Meets the Diverse Needs of Spine Patients; EBI Medical Systems; (August 1991).
	Schmitz et al.; Performance of Alloplastic Materials and Design of an Artificial Disc; The Artificial Disc, Brock, Mayer, Weigel; pp. 23-34 (1991).
	The Use of Direct Current for Electrically Induced Osteogenesis; The Positive Effect of an Electronegative charge on Bone Growth; EBI Medical Systems (Feb. 1993).

	Mylonas, C., et al.; Anterior Cervical Decompression and Fusion Using the Coventry Cervical Spreader and Dowel Insert; British Journal of Neurosurgery, 7:545-549 (1993).		
	Fusion of the Lumbar Spine; Anterior Monosegmental Fusion L5-S1, Atlas of Spinal Operations, Thieme, pp. 270-274 (1993).		
	Spine Basics, Danek Group, Inc., Glossary (1993).		
Lit. 3a & 3c	Cloward, Ralph B.; Surgical Techniques for Lumbar Disc Lesions; Codman; Signature Serial 3.		
Lit. 3c	Cloward, Ralph B.; Ruptured Cervical Intervertebral Discs: Removal of Disc & Osteophytes & Anterior Cervical Interbody Fusion (A.C.I.F.); Codman; Signature Series 4.		
Lit. 3	Cloward, Ralph B.; Recent Advances in Surgery of the Cervical Spine; pp. 285-293; German Society For Neurosurgery: Volume 2 Cervical Spine Operations; Excerpta Medica.		
Lit. 3c	Hutter, Charles George; Spinal Stenosis and Posterior Lumbar Interbody Fusion; pp. 103-114; Clinical Orthopaedics and Related Research; No. 193; The Association of Bone and Joint Surgeons.		
Lit. 3c	Lin, Paul M.; Posterior Lumbar Interbody Fusion; pp. 114-122; Charles C. Thomas; Springfield, Illinois.		
Lit. 3c	Lin, Paul M.; Lumbar Interbody Fusion: Principles and Techniques in Spine Surgery; Techniques and Complications; pp. 81, 98, 120, 146, 173, 180-184, 204, 224, 225, 231; Aspen Publishers, Inc.; 1989.		
Lit. 3c	Tan, S.B.; A Modified Technique of Anterior Lumbar Fusion with Femoral Cortical Allograft; pp. 83-93; The Journal of Orthopaedic Surgical Techniques, Volume 5, No. 3, 1990.		
Lit. 3a & 3b	Muller, M.E.; Manual of Internal Fixation: Techniques Recommended by the AO Group; Second Edition, Expanded and Revised; pp. 3-20, 27-41, 53-58, 71-78, 94, 311, 320; Springer-Verlag; 1979.		
Lit. 3a & 3b	Hierholzer, G.; Manual on the AO/ASIF Tubular External Fixator; pp. 85-91; Springer-Verlag; 1985.		
Lit. 3a & 3b	Heim, Urs; Small Fragment Set Manual: Technique Recommended by the ASIF-Group; pp. 5-7, 10, 20, 21, 30; Springer-Verlag; 1974.		
Lit. 3c	Harmon, Paul H.; Anterior Excision and Vertebral Body Fusion Operation for Intervertebral Disk Syndromes of the Lower Lumbar Spine: Three- to Five-Year Results in 244 Cases; pp. 107-127; Clinical Orthopaedics and Related Research, No. 26, J.B. Lippincott Company, 1963.		
Lit. 3c	Harmon, Paul H.; A Simplified Surgical Technic for Anterior Lumbar Discectomy and Fusion; Avoidance of Complications; Anatomy of the Retroperitoneal Veins; pp. 130-143; Clinical Orthopaedics and Related Research, No. 37, J.B. Lippincott Company, 1964.		
Lit. 3b	Bullough, Peter G.; Atlas of Spinal Diseases; Figure 5.7; J.B. Lippincott Company; 1988		
Lit. 3	Canale, S. Terry; Campbell's Operative Orthopaedics; Volume 3, 9 th Edition; pp. 2191, 2216, 2459; Mosby, 1998.		
	European Search Report dated March 15, 2001 for EP 00 20 4831.		
Examiner		Date Considered	5/2/05
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			
Form PTO 1449		Patent and Trademark Office - U.S. Department of Commerce	